

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Customer Number: 41552  
 :  
 Lipton, Stuart A., et al. : Confirmation Number: 5845  
 :  
 Application No.: 09/876,187 : Group Art Unit: 1632  
 :  
 Filed: June 05, 2001 : Examiner: Falk, Anne Marie  
 :  
 For: METHODS OF DIFFERENTIATING AND PROTECTING CELLS BY MODULATING THE P38/MEF2 PATHWAY

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence is being electronically-transmitted to the United States Patent and Trademark Office on Dec 30, 2008,  
 /s/ Lori Font/  
 Lori Font

Dear Sir:

Transmitted herewith is a Response to Restriction Requirement in the above-identified application.

- ☒ No additional fee is required.  
☒ Applicant is entitled to small entity status under 37 CFR 1.27

The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	0	0	0	\$26.00 =	\$0.00
Independent Claims	0	0	0	\$110.00 =	\$0.00
Multiple dependent claims newly presented					\$0.00
Fee for extension of time					\$0.00
					\$0.00
Total of Above Calculations					\$0.00

- ☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 502624, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

/Deborah L. Cadena/

Deborah L. Cadena  
 Registration No. 44,048

11682 El Camino Real, Suite 400  
 San Diego, CA 92130  
 Phone: 858.720.3300 DLC:lhf  
 Facsimile: 858.720.7800  
**Date: December 30, 2008**

**Please recognize our Customer No. 41552 as our correspondence address.**